

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 6—Outdoor Advertising

PROPOSED AMENDMENT

7 CSR 10-6.080 Removal of Outdoor Advertising Without Compensation. The Missouri Highways and Transportation Commission is amending sections (4), (6), and (7).

PURPOSE: This amendment removes unnecessary restrictive language.

(4) Authority to Withdraw Notices. The department's authorized representative is authorized to withdraw any notice to remove outdoor advertising issued by the department under section 226.580, RSMo, or any notice to terminate a nonconforming sign issued by the department under 7 CSR 10-6.060(3)(G) for any one (1) of the following reasons: where the notice to remove was improperly issued by the department because of a mistake of law or fact, where the sign has been removed or the basis of unlawfulness has been corrected or has ceased to exist, or where it is finally adjudicated that the notice to remove was not authorized by sections 226.500–226.600, RSMo. If a timely request for administrative review of notice to remove outdoor advertising or a notice to terminate nonconforming sign has been made, the department's authorized representative *[shall]* **will** advise the hearing examiner of any withdrawal of a notice to remove outdoor advertising or a notice to terminate nonconforming sign.

(6) Remedial Action. Any notice to remove outdoor advertising which is issued by the department's authorized representative shall specify any available remedial action to correct the violation~~].~~ *The notice to remove outdoor advertising shall also]* **and** establish the length of time which is available to take the remedial action. Any length of time specified for taking remedial action *[shall]* **cannot** lengthen the time available for requesting an administrative hearing. The remedial action which is specified in the notice to remove outdoor advertising may include the removal of the violating sign.

(7) Status of Permit. The issuance of a notice to remove outdoor advertising or a notice to terminate nonconforming outdoor advertising *[shall be]* **is** notice that any permit for that outdoor advertising structure *[shall]* **will** be surrendered upon removal of the structure. No other notice is necessary under these conditions.

AUTHORITY: section 226.150, RSMo 2000, and sections 226.500–226.600, RSMo 2000 and Supp. 2013. Original rule filed May 16, 1977, effective Oct. 15, 1977. Amended: Filed Jan. 16, 1990, effective June 11, 1990. Amended: Filed June 15, 1993, effective Jan. 31, 1994. Amended: Filed April 15, 2003, effective Nov. 30, 2003. Amended: Filed Oct. 3, 2013, effective May 30, 2014. Amended: Filed September 8, 2017.*

Original authority: 226.150, RSMo 1939, amended 1977 and 226.500–226.600, see **Missouri Revised Statutes, 2000 and Supp. 2013.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, Missouri 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*